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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 002698

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SUBJECT: LABOR ACTIVIST CLAIMS POLICE PRESSURE

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Classified By: Pol/C Joseph L. Novak, reasons 1.4 (B,D).

11. (C) Summary: An Indonesian labor leader--who was jailed, beaten and allegedly coerced into signing a criminal confession for leading a peaceful May 1 labor rally--told Labatt that he is now being threatened by a prosecutor with additional jail time if he pursues an appeal. This case illustrates how tough it can be for labor leaders operating in Indonesia and how police sometimes back employers in labor matters. Interventions with police and GOI officials by Labatt and the AFL-CIO Solidarity Center may have helped prevent worse treatment. End Summary.

Allegedly Coerced into Confession

12. (C) Labatt met with Sarta bin Sarim September 20 to discuss his recent jailing for leading a peaceful May 1 International Labor Day march outside his factory in the working class city of Tangerang near Jakarta. A packing worker at the T.T. Tambun Kusuma wooden frame factory and chairman of the local union FKUI/KSBSI (Indonesian Prosperity Trade Union), Sarta organized the rally of about 50 workers from several factories. On the evening of May 1, police arrested Sarta at his two-room home next door to the factory.

The next day, Sarta was beaten badly on the face by another inmate in the bathroom, a few feet from police, who did nothing after he emerged badly bloodied, Sarta told Labatt. That night, Sarta was given a confession to sign that stated he had committed "unpleasant acts" and participated in "inciting disruption," which he signed after the interrogating officer threatened that the inmates who had beaten him that day would "cripple" him if he did not sign, Sarta alleged. Prosecutors said in court that Sarta had revved the engine of his motorcycle threateningly during the rally. Police refused his request for legal representation, Sarta claimed.

Reported Threats

13. (C) Sarta was convicted on the "unpleasant acts" charge on July 30, sentenced to three months, and released on July 31 having been in jail since May 1. When Sarta appealed his conviction to a higher court, the prosecutor, Fauzan, called his union, threatening to press more serious charges that would imprison Sarta for five years if he pursued the appeal, according to KSBSI Vice President Bismo Sanyoto.

14. (SBU) Sarta's union and the Solidarity Center (the overseas representative of the AFL-CIO) stood behind Sarta

from the time he was arrested, providing legal representation. The GOI has received over 1600 letters regarding Sarta's case, including from the AFL-CIO, BWI, ITUC and others. The Torture Abolition and Survivors Coalition (TASSC) advocated on Sarta's behalf in the U.S. ILO is processing a complaint against illegal detention on his behalf, according to Jamie Davis, Solidarity Center Indonesian Program Director.

15. (SBU) Ten non-union workers from another factory also were arrested on May 1, and five were jailed, it was revealed during the June trial when three of them were brought in as witnesses.

16. (C) Sarta speculates his employer arranged for him to be arrested because he was the founding leader of his plant's union nine years ago and organized a strike in 2003 protesting hiring practices and the use of thugs to threaten workers.

A Pattern of Police Behavior?

17. (C) According to labor activist Dita Sari, police have a long history of intervening in labor matters. To counter this, in 2005 the Indonesian National Police issued a regulation entitled "Guidelines on the Conduct of the Indonesian National Police in Handling Law and Order in Industrial Disputes," which instructs police to "uphold human rights."

18. (C) Police have also allegedly participated in the following: In October 2006, KSBSI alleged that PT Kiani Kertis in Timika, Papua, called in mobile brigade police in response to KSBSI protests against the company's refusal to bargain with the union. On July 31, 2006, union activist Samsir Hasibuan was dragged from his house and shot in the knee by police following a strike and public demonstration against his company in Medan, North Sumatra, PT Cipta

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Mebelindo Lestari, union leaders told Labatt. Police extracted a confession from Hasibuan that he had destroyed company property by beating on his injured knee, Solidarity Center alleged.

Urging GOI Protection

19. (C) Labatt has expressed concern to Tangerang police about Sarta's treatment, and, along with Solidarity Center/AFL-CIO, continues to press the GOI on his labor rights. In a country with high poverty and unemployment, labor activists are beleaguered in defending their rights and often rely on international support. Mission will continue to monitor Sarta's case.

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